

REMARKS

Claims 1-14 remain pending in this application. Claims 1, 11, 13, and 14 have been amended by this response. The amendments have been made to clarify and more clearly define the claimed subject matter. The term “said second application” has been added to clarify that the application itself, and not the start up application uses data contained in the additional file. Support for the claim amendments is found throughout the specification and specifically in Fig. 1 and paragraph [0087].

Rejection of claims 1, 6, 7, and 10-14 under 35 U.S.C. 102(b)

Claims 1, 6, 7, and 10-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Park et al. (U.S. Patent No. 6,460,180).

The present claimed arrangement provides an interactive television process applicable to a system where at least one transmitting station transmits programmes to receivers. A startup application and a first application are received by one of the receivers. The startup application is triggered and causing the execution of the following steps. A presence in a memory of the receiver of at least one file of additional data is tested. In the absence of the file of additional data in the memory, the first application is started. If the file of additional data is present in the memory, a second application is started, the second application using the file of additional data.

Park describes enabling or disabling selected types of triggers in interactive broadcast television. When information is to be displayed at a point in the television video, a trigger is broadcast along with the television video. The trigger identifies the information resource and indicates how information from the information resource is to be displayed. Some triggers are ignored and some are not. When the receiver unit receives a trigger, the receiver unit determines whether a rule stored in the receiver unit applies to the trigger. If the rule applies, then the receiver unit takes a predetermined action. If the rule does not apply, then the rule has no effect and the trigger is acted upon by the receiver based on a default condition. By including one or more rules in a receiver unit, the receiver unit is made to ignore certain specific types of triggers but not to ignore other types of triggers. The rules can be automatically loaded into the

receiver unit on power-up by broadcast communication, from a permanent storage device, or by downloading from the internet. The rules can be updated periodically. (See col. 2, lines 9-32)

The Office Action asserts that “startup application” as recited in amended claim 1 of the present arrangement is equivalent to “trigger” as recited in Park. In addition, the Office Action also asserts that “the file of additional data” as recited in claim 1 of the present arrangement is equivalent to “rules stored in the receiver” as recited in Park. Applicant respectfully disagrees.

Park describes a method where startup of a trigger is allowed according to rules. Specifically, “[w]hen the receiver unit receives a trigger, the receiver unit determines whether a rule stored in the receiver unit applies to the trigger” (see col. 3, lines 9-24). The system of Park makes a determination regarding a rule based on an analysis of a list of rules for each trigger. More specifically, “the trigger received is then checked against the second rule to determine whether the second rule applies to the trigger (col. 6, lines 22-24). In contrast, the present claimed arrangement only requires “testing for a presence in a memory of said receiver of at least one file of additional data” as recited in claim 1 and set forth specifically in paragraph [0009]. The present claimed arrangement does not require table tracking, management and utilization, which entails a high level of complexity. Therefore, Park neither discloses nor suggests a “startup application” and “file of additional data” as recited in amended claim 1 of the present arrangement.

In addition, Park neither discloses nor suggests “said second application using said file of additional data” as recited in amended claim 1 of the present arrangement. The present arrangement determines that a file is present, and uses the file when the second application is activated. Specifically, “the files of additional data contain data making it possible to carry out in the required time an improved application” (paragraph [0087]). Contrary to the present claimed arrangement, Park does not describe “rules” used by a second application. Instead, Park describes rules with a determined structure, such as a rule with “three fields” (col. 4, lines 23-25) while the

present arrangement provides additional data that can be of different types. Specifically, “the files of additional data” may contain “data (video, audio, pictures)” (paragraph [0105]), and “the files of additional data contain the improved application” (paragraph [0048]). Park neither discloses nor suggests that additional information can include applications. Park only describes a trigger without a list of rules, or “file of additional data.” Thus, Park neither discloses nor suggests “said second application using said file of additional data” as recited in amended claim 1 of the present arrangement. Therefore, it is respectfully submitted that the rejection of claim 1 is satisfied and should be withdrawn.

Claims 6, 7, and 10 are dependent on claim 1 and are considered patentable for the reasons set forth above regarding claim 1. Therefore, it is respectfully submitted that the rejection to claims 6, 7, and 10 is satisfied and should be withdrawn.

Independent claim 11 includes features similar to those found in claim 1 and is considered patentable for the reasons set forth above regarding claim 1. Therefore, it is respectfully submitted that the rejection to claim 11 is satisfied and should be withdrawn.

Claims 12-14 are dependent on claim 11 and are considered patentable for the reasons set forth above regarding claim 11. Therefore, it is respectfully submitted that the rejection to claims 12-14 is satisfied and should be withdrawn.

Rejection of claims 2-5 under 35 U.S.C. 103(a)

Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Park et. al (U.S. Patent No. 6,460,180) as applied to claim 1, and further in view of Rodriguez et al. (U.S. Publication No. 2002/0059623).

The Office Action asserts that “startup application” as recited in amended claim 1 of the present arrangement is equivalent to “trigger” as recited in Park. In addition, the Office Action also asserts that “the file of additional data” as recited in claim 1 of

the present arrangement is equivalent to “rules stored in the receiver” as recited in Park. Applicants respectfully disagree.

Park describes a method where startup of a trigger is allowed according to rules. Specifically, “[w]hen the receiver unit receives a trigger, the receiver unit determines whether a rule stored in the receiver unit applies to the trigger” (see col. 3, lines 9-24). The system of Park makes a determination regarding a rule based on an analysis of a list of rules for each trigger. More specifically “the trigger received is then checked against the second rule to determine whether the second rule applies to the trigger (col. 6, lines 22-24). In contrast, the present claimed arrangement only requires “testing for a presence in a memory of said receiver of at least one file of additional data” as recited in claim 1 and set forth specifically in paragraph [0009]. The present claimed arrangement does not require table tracking, management and utilization, which entails a high level of complexity. Therefore, Park neither discloses nor suggests a “startup application” and “file of additional data” as recited in amended claim 1 of the present arrangement.

In addition, Park neither discloses nor suggests “said second application using said file of additional data” as recited in amended claim 1 of the present arrangement. The present arrangement determines that a file is present, and uses the file when the second application is activated. Specifically, “the files of additional data contain data making it possible to carry out in the required time an improved application” (paragraph [0087]). Contrary to the present arrangement, Park does not describe “rules” used by a second application. Instead, Park describes rules with a determined structure, such as a rule with “three fields” (col. 4, lines 23-25) while the present arrangement provides additional data that can be of different types. Specifically, “the files of additional data” may contain “data (video, audio, pictures)” (paragraph [0105]), and “the files of additional data contain the improved application” (paragraph [0048]). Park neither discloses nor suggests that additional information can include applications. Park only describes a trigger without a list of rules, or “file of additional data.” Thus, Park neither discloses nor suggests “said second application using said file of additional data” as recited in amended claim 1 of the present arrangement.

Rodriguez describes a dual mode file system in a subscriber network television system. The dual mode file system can be described as including a memory with logic, and a processor configured with the logic to use remote data to support the processor until the logic detects that local data is available. (See paragraph [0006]).

Rodriguez, like Park, neither discloses nor suggests a “startup application,” a “file of additional data” and “said second application using said file of additional data” as recited in amended claim 1 of the present arrangement. In contrast, Rodriguez describes a cache system where remote data is used until it is determined that the data is available locally. In order to facilitate this, the system of Rodriguez uses bilateral communication between a transmitting station and receiver including the steps of proposing the loading of enhanced services, acceptance or non acceptance by the user of the receiver, downloading of the enhanced services, and storage of the enhanced services in to the local memory of the receiver. (See paragraphs [0029] – [0031]). However, this is not the same as a “startup application” that tests for the “presence in a memory of said receiver of at least one file of additional data” and “if said file of additional data is present in said memory, starting up of a second application, said second application using said file of additional data.” Thus, Rodriguez, like Park, neither discloses nor suggests a “startup application,” a “file of additional data” and “said second application using said file of additional data” as recited in amended claim 1 of the present arrangement.

In addition, the combination of Park and Rodriguez, similar to the individual systems, also neither discloses nor suggests a “startup application,” a “file of additional data” and “said second application using said file of additional data” as recited in amended claim 1 of the present arrangement. A combination of Park and Rodriguez would produce a digital subscriber television network capable of storing data on a local physical drive, and able to enable or disable selected types of broadcast triggers. This is different from the present claimed arrangement which provides an interactive television process, where a “startup application” is received, the presence of a “file of additional data” is tested, and if the file is found, a “second application” is started, the

“second application using said file of additional data.” Thus, the combination of Park and Rodriguez, similar to the individual systems, neither discloses nor suggests a “startup application,” a “file of additional data” and “said second application using said file of additional data” as recited in amended claim 1 of the present arrangement.

Claims 2-5 are dependent on claim 1 and are considered patentable for the reasons set forth above regarding claim 1. Therefore, it is respectfully submitted that the rejection of claims 2-5 is satisfied and should be withdrawn.

Rejection of claims 8 and 9 under 35 U.S.C. 103(a)

Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Park et. al (U.S. Patent No. 6,460,180) as applied to claim 1, and further in view of Junqua et al. (U.S. Publication No. 2004/0236778).

The Office Action asserts that “startup application” as recited in amended claim 1 of the present arrangement is equivalent to “trigger” as recited in Park. In addition, the Office Action also asserts that “the file of additional data” as recited in claim 1 of the present arrangement is equivalent to “rules stored in the receiver” as recited in Park. Applicants respectfully disagree.

Park describes a method where startup of a trigger is allowed according to rules. Specifically, “[w]hen the receiver unit receives a trigger, the receiver unit determines whether a rule stored in the receiver unit applies to the trigger” (see col. 3, lines 9-24). The system of Park makes a determination regarding a rule based on an analysis of a list of rules for each trigger. More specifically “the trigger received is then checked against the second rule to determine whether the second rule applies to the trigger (col. 6, lines 22-24). In contrast, the present claimed arrangement only requires “testing for a presence in a memory of said receiver of at least one file of additional data” as recited in claim 1 and set forth specifically in paragraph [0009]. The present claimed arrangement does not require table tracking, management and utilization, which entails a high level of complexity. Therefore, Park neither discloses nor suggests a “startup

application” and “file of additional data” as recited in amended claim 1 of the present arrangement.

In addition, Park neither discloses nor suggests “said second application using said file of additional data” as recited in amended claim 1 of the present arrangement. The present arrangement determines that a file is present, and uses the file when the second application is activated. Specifically, “the files of additional data contain data making it possible to carry out in the required time an improved application” (paragraph [0087]). Contrary to the present arrangement, Park does not describe “rules” used by a second application. Instead, Park describes rules with a determined structure, such as a rule with “three fields” (col. 4, lines 23-25) while the present arrangement provides additional data that can be of different types. Specifically, “the files of additional data” may contain “data (video, audio, pictures)” (paragraph [0105]), and “the files of additional data contain the improved application” (paragraph [0048]). Park neither discloses nor suggests that additional information can include applications. Park only describes a trigger without a list of rules, or “file of additional data.” Thus, Park neither discloses nor suggests “said second application using said file of additional data” as recited in amended claim 1 of the present arrangement.

Junqua describes an interactive, multimodal user interface for storing and retrieving information. The replay file system captures information about each recorded program from the electronic program guide available via cable, satellite or internet. (See paragraph [0009]).

Junqua, like Park, neither discloses nor suggests “a startup application,” a “file of additional data” and “said second application using said file of additional data” as recited in amended claim 1 of the present arrangement. Junqua describes an interactive user interface for storing and retrieving TV for future viewing, or otherwise known as replay TV. (See paragraph [0013]). This is not the same as “a startup application” testing for the presence of a “file of additional data” and “starting up of a second application” if a file of additional data is found, “said second application using said file of additional data.” Thus, Junqua, like Park, neither discloses nor suggests “a startup

application,” a “file of additional data” and “said second application using said file of additional data” as recited in amended claim 1 of the present arrangement.

In addition, the combination of Park and Junqua, similar to the individual systems, also neither discloses nor suggests “a startup application,” a “file of additional data” and “said second application using said file of additional data” as recited in amended claim 1 of the present arrangement. The combination of Park and Junqua would produce a television broadcast system with a replay TV feature and allowing for the enablement or disablement of selected broadcast triggers. However, this is not the same as “a startup application” testing for the presence of a “file of additional data” and “starting up of a second application” if a file of additional data is found, “said second application using said file of additional data.” Thus, the combination of Park and Junqua, similar to the individual systems, neither discloses nor suggests “a startup application,” a “file of additional data” and “said second application using said file of additional data” as recited in amended claim 1 of the present arrangement.

Claims 8 and 9 are dependent on claim 1 and are considered patentable for the reasons set forth above regarding claim 1. Therefore, it is respectfully submitted that the rejection of claims 8 and 9 is satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No additional fee is believed due. However, if an additional fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,
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